

REMARKS

This is in response to the Office Action dated February 10, 2005. Claims 1-9 are pending.

Claim 7 stands rejected under Section 112. Claim 7 has been amended to address and overcome any potential issue in this respect.

Claim 1 stands rejected under 35 U.S.C. Section 102(b) as being allegedly anticipated by Matsuzaki. This Section 102(b) rejection is respectfully traversed for at least the following reasons.

Claim 1 requires a “causing said ordering apparatus to receive unit information for specifying units constituting a composite apparatus and create composite state information for specifying a composite state of units based on the received unit information, according to a predetermined rule; giving a trigger to said composite apparatus from exterior; causing said composite apparatus to, when receiving a trigger, recognize unit information for specifying units to be composed itself and create composite state information for specifying a composite state of units based on the recognized unit information, according to the same rule as said rule; causing said composite apparatus to inform the composite state information to exterior; and comparing the composite state information created by said ordering apparatus and the composite state information informed by said composite apparatus.” For example and without limitation, the power being switched on described at page 21, line 2, and page 27, line 7, provides support for the claimed “trigger.” The cited art fails to disclose or suggest at least the aforesaid underlined features of claim 1.

Matsuzaki (US 5,357,439) relates to a system for ordering a “toy plane” (col. 9, line 54). Clearly, Matsuzaki does not give a trigger to the toy plane such that the toy plane creates

information and informs to exterior. Thus, Matsuzaki fails to disclose or suggest “*giving a trigger to said composite apparatus (toy plane in Matsuzaki) from exterior*” and “*causing said composite apparatus (toy plane in Matsuzaki) to, when receiving a trigger, recognize unit information for specifying units to be composed itself and create composite state information for specifying a composite state of units based on the recognized unit information, according to the same rule as said rule; causing said composite apparatus to inform the composite state information to exterior*” as required by claim 1. These features cannot be performed by or found in the toy plane of Matsuzaki. Matsuzaki is entirely unrelated to these features of claim 1.

Claim 1 also requires “*comparing the composite state information created by said ordering apparatus and the composite state information informed by said composite apparatus.*” The Office Action relies on Matsuzaki at col. 3, lines 14-19 in this respect. However, neither the “ordering department” nor the “designing department” is related to the toy plane which allegedly corresponds to the composite apparatus. Thus, the Office Action’s reasoning is flawed in this respect.

Additionally, while it may be argued that the “toy plane” of Matsuzaki could be a “composite apparatus” made up of a composition of units such as wings, tail, and cockpit, the composite apparatus (toy plane) of Matsuzaki certainly does not “recognize unit information for specifying units to be composed itself and create composite state information for specifying a composite state of units based on the recognized unit information” and also does not create composite state information as required by claim 1. Matsuzaki is entirely unrelated to the invention of claim 1 in these respects. Thus, claim 1 patentably defines over Matsuzaki for each of the reasons set forth above.

Claim 2 also clearly defines over Matsuzaki. Matsuzaki fails to disclose or suggest “means for receiving a trigger from exterior; means for, when receiving a trigger, recognizing unit information for specifying units to be composed itself; second creating means for creating composite state information for specifying a composite state of units based on the recognized unit information, according to the same rule as said rule; and informing means for informing the composite state information to exterior.” E.g., see page 8, lines 10-24 of the instant specification. In particular, the toy plane (alleged composite apparatus) of Matsuzaki does not include these features/functions.

Claim 6 also clearly defines over Matsuzaki. For example, the toy plane (alleged composite apparatus) of Matsuzaki does not include “means for receiving a trigger from exterior; means for, when receiving the trigger, recognizing unit information for specifying units to be composed itself; means for creating composite state information for specifying a composite state of units based on the recognized unit information, according to a predetermined rule; and means for informing the created composite state information to exterior.” as called for in claim 6.

Matsuzaki is entirely unrelated to these features of claim 6.

Claim 7 requires “means for, when receiving composite state information created according to the same rule as said rule and transmitted from the composite apparatus specified by the composite apparatus information stored by a storing means, comparing received composite state information and the composite state information stored in said storing means.” Matsuzaki fails to disclose or suggest these features of claim 7. The Office Action relies on Matsuzaki at col. 3, lines 7-25. However, this cited portion of the reference describes transmitting of information between the ordering department and the designing department. These departments are not goods (e.g., toy plane) of Matsuzaki. The rejection is flawed.

Claim 8 requires "causing a computer to, when receiving composite state information created according to the same rule as said rule and transmitted from the composite apparatus specified by the stored composite apparatus information, compare received composite state information and the stored composite state information." Again, Matsuzaki fails to disclose or suggest these features of claim 8.

Claim 9 requires "computer readable code means for causing a computer to, when receiving composite state information created according to the same rule as said rule and transmitted from the composite apparatus specified by the stored composite apparatus information, compare received composite state information and the stored composite state information." Again, Matsuzaki fails to disclose or suggest these features of claim 9.

For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: 

Joseph A. Rhoa
Reg. No. 37,515

JAR:caj
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100